

Vital Records Strategy

Version	Date	Owner	Summary of Changes
V0.1	02/06/2014	Information Governance Lead	<ul style="list-style-type: none"> N/A
V1.0	26/08/2014	Information Governance Lead	<ul style="list-style-type: none"> N/A
V1.1	18/02/2022	Information Governance & Data Protection Officer	<ul style="list-style-type: none"> Updated content to bring in line with current CHS systems and changes to data protection legislation
V2.0	01/03/2022		<ul style="list-style-type: none"> Final policy approved

Approvals	Approved by SMT 01/03/2022
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1. Introduction

1.1 Vital records enable an organisation to continue functioning in the event of a disaster or disruption and contain the information needed to re-establish the organisation. They also protect the assets and interests of an organisation and its stakeholders and are usually associated with the organisation's infrastructure, legal and financial matters. This *Vital Records Strategy* sets out Children's Hearings Scotland's (CHS') procedures for identifying, managing, and reviewing the organisation's vital records.

1.2 A range of events could occur, disrupting work and endangering vital records. For example:

- Network server crash resulting in inability to access electronic files
- Inability to access a building
- Loss through carelessness
- Theft of materials
- Pest infestation and environmental conditions, such as excessive humidity, which cause damage to records
- Loss of electronic data through malicious behaviour
- Fire
- Flood

1.3 Implementing a vital records strategy will help ensure compliance with the Freedom of Information (Scotland) Act 2002 (FOISA) and the Public Records (Scotland) Act 2011 (PRSA). The s.61 Code of Practice issued by the Scottish Government under FOISA specifically requires organisations to protect their vital records. Implementing a vital records strategy

will also help ensure compliance with the Data Protection Act 2018. Although compliance with this Code is not mandatory, it is seen as indicative of whether or not an organisation has complied with the legislation.

2. Identifying vital records

2.1 Vital records are records that are essential for the ongoing business of CHS and the Children's Hearings System (the System) and without which they could not continue to function effectively. Such records may be considered vital only in the short term, or may retain this status indefinitely.

2.2 In general, they are likely to fall into one of two categories:

- Records which are referred to frequently and to which even temporary restrictions in access would have an immediate and/or significant impact on CHS and the System.
- Records which are seldom accessed, but which are irreplaceable, the loss of which would have a significant impact on CHS and the System. The records might not be missed for many months, but no amount of work could replace them, and ultimately this loss would be very serious.

2.3 When assessing which records are vital, we should consider the following points:

- Around 2-10% of an organisation's records are likely to be vital. Setting up special protection measures can be expensive, so we should not be tempted to include everything, although, at the same time, we should not omit a record that is genuinely vital.
- Records may not fall neatly into vital and non-vital categories. Some records might not be strictly vital, in that CHS could continue to function without them but the effort of replacing them might be such that you wish to afford them the same level of protection as records essential to the current business of CHS.

2.4 Examples of vital records include:

- Records which give evidence of the legal status of CHS
- Records which protect the assets and interests of CHS, Panel and AST Members, Clerks to the AST, Board members and staff
- Minutes of board and committee meetings, especially where major policy decisions are taken
- Current and recent staff contracts
- Current and recent panel member and AST member records
- Current accounts payable and received
- CHS' business plan
- Research information, including ongoing research and reports of research projects
- Records which are subject to a legal requirement to be kept for a certain amount of time

- Historical records if needed for evidential or other legal purposes

2.5 CHS' *Retention and Disposal Schedule* identifies all vital records produced and held by the organisation, how long they should be retained, their recommended disposal procedure, security classification and their vital records status. Examples include Panel Member records, original signed copies of Partnership Agreements, Memorandums of Understanding, official copies of Board and Committee minutes of meetings, panel and AST member records, financial and staff HR records, risk management and policy records.

Other records

2.6 Important records are those records which are important to the continued operation of the organisation and can be reproduced or recreated from original sources, but only at considerable time and expense. Examples include procedures, training manuals, minutes of some meetings.

2.7 Useful records are those records where their loss would cause temporary inconvenience to CHS but they are replaceable. For example, most correspondence.

2.8 Non-essential records are those records which have no value beyond the immediate purpose for which they were created. For example, notifications of events which are now complete and advertisements.

3. Managing vital records

3.1 When deciding what reasonable methods we need to adopt to backup and protect CHS' vital records, it is necessary to balance the financial cost, time and practical implications of the methods against the seriousness of the damage that would result if the records were unavailable for a period of time, or destroyed. Thus there is a risk assessment involved in deciding what measures are required. These considerations can be represented as follows:

- How serious would the consequences be if the records were unavailable, destroyed or stolen?
- What is the cost of the backup and protection measures?
- How likely is it that another copy already exists elsewhere?

3.2 Vital records must be safeguarded from unauthorised use, modification, disclosure or destruction, whether accidental or intentional. The creation of the Information Asset register will integrate and update the previous vital records schedule. It will include the following information:

- name of record
- primary location
- back up location
- a deadline for the next review (to consider whether the record is still vital)
- the person or persons responsible for maintaining and reviewing the vital record

- details of who has access to the vital records

Electronic records

- 3.3 Vital electronic records should not be stored on personal devices as the record may be lost or compromised. These records should be stored on the shared drive as they are maintained securely and backup copies are regularly made and stored off-site. If a staff member does not have access to the shared drive records must be temporarily saved to an encrypted removable device and moved to the shared drive at the earliest opportunity. The contents of the removable device must then be deleted.
- 3.4 AST members, Panel Members and Clerks do not have access to CHS' shared drive, however, all have access to CSAS. Records created by ASTs, Panel Members and Clerks should be held and processed on CSAS or retained securely on local authority systems, in line with CHS information management guidelines and policies.

Hard copy records

- 3.5 Where possible vital records in hardcopy format should be scanned and captured within CHS' shared drive or CSAS. If it is necessary to retain the hardcopy, it should be stored: in conditions that are clean, with low risk of damage from fire, water, dampness, mould, insects and rodents; in conditions that are secure from unauthorised access, destruction, alteration or removal; away from direct sunlight and other sources of heat and light; and preferably in an area that is well ventilated and maintained at stable temperature and humidity.

4. Reviewing vital records

- 4.1 New vital records must be identified, backed up and protected on a regular basis. Equally, records that are no longer vital should be removed from vital records schedules. Information Asset Owners will be responsible, alongside CHS' Information Governance and Records Officer, for reviewing and updating the vital records status and associated schedules.
- 4.2 Identification of vital records is the responsibility of Information Asset Owners (IAOs) within CHS in consultation with the Information Governance and Records Officer. All vital records should be designated as such in CHS' *Retention and Disposal Schedule*.
- 4.3 This Vital Records Strategy and the associated vital records schedule will be reviewed alongside the Business Continuity Plan on an annual basis.

Title	Vital Records Strategy
Author	Sophie-Elise Anker, Information Governance and Data Protection Officer
Approved by	Senior Management Team
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